

REMARKS

Specification

The specification has been amended in accordance with MPEP 2163.06 to merely clarify the specification in light of the pending claims.

Claims

Claims 1-8, 12-22, and 24-30 are pending in the application. Claims 1, 12, 20, 26, and 30 are independent. Claims 1, 5, 12, 20, and 26 have been amended to more clearly define the invention. Claims 9-11 were previously canceled. Claim 23 has been canceled in the current amendment. Claim 30 has been added. Reconsideration is respectfully requested.

Claim Rejections – 35 U.S.C. §103(a)

Claims 2-7, 13-18, and 21-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Olive (U.S. Pat. No. 6,634,941) in view of Jaffe (U.S. Pat. No. 6,517,432). Claims 23-24 and 26-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Olive.

Claim 1 has been amended to incorporate the limitations of dependent claim 23 therein. Hence, Applicant respectfully traverses the rejection to dependent claim 23.

The invention as claimed in amended claim 1 defines over the cited prior art or any combination thereof. Claim 1 recites a gaming machine comprising a display having a grid 14 of cells 16, a controller 22 programmed for initiating a normal random display of a first plurality of game elements 20 such that one of the first plurality of game elements 20 is displayed in each of the cells 16. The controller 22 is also programmed for initiating a bonus random display of a second plurality of game elements 20 in response to a triggering combination 30 of the first plurality of game elements 20 in the normal random display such that the first plurality of game elements 20 are replaced by the second plurality of game elements 20 in each of the cells 16. Hence, the reels 24 are re-spun for the bonus random display. The controller 22 is also programmed for **activating a bonus character to move**

along the grid of cells and designate at least one of the cells 16 in the grid as a wild cell 34 independent of a game element 20 in the wild cell 34 in response to initiating the bonus random display and while the first plurality of game elements are being replaced by the second plurality of game elements. By activating the bonus character in response to initiating the bonus random display, the player becomes excited with anticipation as to what action the bonus character will take. To increase this excitement, the bonus character moves along the grid of cells while the first plurality of game elements are being replaced by the second plurality of game elements. The combination of replacing the game elements and moving the bonus character significantly heightens the player's anticipation.

Olive discloses a gaming machine 10 comprising a display 14 having a grid of cells and a controller 44 programmed for initiating a normal random display of game elements in the grid such that one game element is displayed in each of the cells. The controller is programmed to initiate a bonus round in response to a triggering combination of the game elements in the normal random display. In the bonus round a second plurality of game elements replace the first plurality of game elements in a bonus random display. Once replaced, a bonus character, e.g., a dolphin, selects one of the cells in the bonus random display as being a wild cell. Olive **does not suggest activating a bonus character to move along the grid of cells and designate the wild cell while the first plurality of game elements are being replaced by the second plurality of game elements.** Olive does not re-spin the reels, i.e., generate new game elements in each of the cells while simultaneously moving a bonus character along the grid of cells to designate one of the cells as being wild, as now required by claim 1. For this reason, Applicant respectfully submits that independent claim 1 is placed in condition for allowance.

Applicant respectfully submits that dependent claims 2-8 and 24-25 are also placed in condition for allowance based on their merits and based on their dependency to claim 1 and the failure of the references to suggest claim 1.

In addition, Applicant respectfully submits that claims 12-22 and 26-30 are placed in condition for allowance based on the reasons set forth above in reference to claim 1 in distinguishing claim 1 over Olive.

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Claim Rejections – 35 U.S.C. §102


Claims 1, 8, 12, 19-20, and 25 stand rejected under 35 U.S.C. §102(e) as being anticipated by Olive. These rejections are now moot based on the above remarks and the traverse of the rejection to dependent claim 23.

Applicant believes the application is now in condition for allowance, which allowance is respectfully solicited. Applicant believes that no additional fees are required, however, the Commissioner is authorized to charge our Deposit Account No. 08-2789 for any additional fees or credit the account for any overpayment.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS

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